

**Remarks**

Favorable reconsideration of this application is requested in view of the above amendments and in light of the following remarks and discussion.

Claims 1-7, 22-31, 42, and 49-56 are currently pending in the application. Claims 1, 2, 6, 7, 22, 23, 26-28, 31, 42, 50, 52, 54, and 56 are amended by way of the present response.

In the Office Action Claims 1-7, 22-31, and 42, and 49-56 are rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Publication No. 10-116431 to Tetsuo.

With respect to the rejection of independent Claim 1, the present invention is directed to an objective lens drive apparatus configured to be used in an optical pickup. The independent claim recites a laminate structure including a focus coil, a tracking coil and a tilt coil, disposed within a gap between magnets in a magnetic circuit. An objective lens, which is connected to the laminate structure such that movement of the laminate structure results in a corresponding movement of the objective lens, is disposed outside of the gap in which the laminate structure is disposed. It is asserted that these features are not disclosed or rendered obvious in Tetsuo.

Tetsuo is directed to an objective lens driving device. As shown in Figures 11 and 12, for example, of Tetsuo, printed coil 23 includes tracking coil 4, focal coil 3, and tilt coil 5, while printed coil 24 includes tracking coil 4, and tilt coil 6.<sup>1</sup> An objective lens 2 and the printed coils 23 and 24 are disposed in a gap between magnets 8 and 9.

Tetsuo does not disclose or render obvious, however, the claimed features of objective lens disposed outside of a gap between magnets in which a laminate structure including a focus coil, a tracking coil and a tilt coil is disposed, as recited in independent Claim 1. Rather, as discussed above, Tetsuo explicitly shows that the objective lens 2 is disposed within the gap between the magnets 8 and 9.

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<sup>1</sup> Paragraphs [0028] and [0035].

It is asserted that the claimed invention can provide numerous advantages, as a result of a location of the objective lens, which cannot be provided by Tetsuo. By way of specific non-limiting examples, it is asserted that the claimed invention can provide a smaller gap, a width of which can be more precisely controlled, than a width of the relatively large gap depicted in Tetsuo. By this arrangement, movement of the objective lens can be more precisely controlled. Further, the claimed objective lens apparatus can use a relatively smaller base to hold the magnets providing the magnetic circuit. In contrast, because the objective lens 2 of Tetsuo is disposed within the gap between the magnets 8 and 9, a base holding the magnets 8 and 9 is increased in size.

For the above discussed reasons, it is requested that the rejection of independent Claim 1 under 35 U.S.C. § 102(b) be withdrawn, and the allowance of independent Claim 1 is requested.

It is asserted that independent Claims 22, 27, and 42 are allowable for reasons similar to those discussed above with respect to independent Claim 1. Therefore, it is requested that the rejection of independent Claims 22, 27, and 42 under 35 U.S.C. § 102(b) be withdrawn, and the allowance of independent Claims 22, 27, and 42 is requested.

Claims 2-7, 23-26, 28-31, and 49-56 are allowable for the same reasons as independent Claims 1, 22, 27, and 42, from which they depend, as well as for their own features. Therefore, it is requested that the rejection of dependent Claims 2-7, 23-26, 28-31, and 49-56 under 35 U.S.C. § 102(b) be withdrawn, and the allowance of dependent Claims 2-7, 23-26, 28-31, and 49-56 is requested.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-7, 22-31, 42, and 49-56 is earnestly solicited.

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Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

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